

Applic. No. 09/848,583  
Amdt. dated August 9, 2007  
Reply to Office action of May 9, 2007

Drawing Amendments

The attached sheet of drawings includes changes to Fig. 1. This sheet, which includes Fig. 1, replaces the original sheet including Fig. 1. In Fig. 1, the "first cutting station" was designated as "100" and the "second cutting station" was designated as "101". Also, the knife perpendicular to the cutting path was labeled "3".

Please approve the drawing changes that are marked in red on the accompanying "Annotated Sheet Showing Changes" of Fig. 1. A formal "Replacement Sheet" of amended Fig. 1 is also enclosed.

Attachments: Replacement Sheet  
Annotated Sheet Showing Changes

Applic. No. 09/848,583  
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Remarks/Arguments:

Reconsideration of the application is requested.

Claims 1-4 and 6-11 and 14 are now in the application. Claim 1 has been amended. Claims 5, 12, and 13 were previously cancelled. Claim 11 has been withdrawn from consideration. The specification has been amended to include subject matter of claim 11. No new matter has been added. The drawings have been changed as indicated above. Claim 14 has been added. Support for claim 14 is found in Fig. 1. No new matter has been added.

In item 1 on page 2 of the above-identified Office action, the Examiner requires a new declaration in compliance 37 CFR 1.67(a). Attached hereto is a new declaration.

In item 3 on page 2 of the above-identified Office action, claims 1-4, 6, 7, and 10 have been rejected as being obvious over Ito (US 4,922,773) in view of Besemann (U.S. Patent No. 4,523,502) under 35 U.S.C. § 103.

The rejection has been noted and the claims have been amended in an effort to even more clearly define the invention of the

Applic. No. 09/848,583  
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instant application. The claims are patentable for the reasons set forth below. Support for the changes is found in Fig. 3 and claim 11 of the instant application and on page 6, lines 12-23 of the specification.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claim 1 calls for, *inter alia*:

a first cutting station having a first cutting knife, and a second cutting station following the first cutting station in a transport direction and receiving the products from the first cutting station, the second cutting station having further cutting knives.

The Ito reference discloses a three-side cutting apparatus. Ito discloses a single cutting position where all three sides are cut (column 8, lines 15-25). Ito does not disclose multiple cutting positions for the book 7.

The Besemann reference discloses an apparatus for accumulating stacks of paper sheets, which has a cross cutter. Besemann discloses the cutting of a web that is drawn off of a reel and

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does not pertain to the cutting of books. Besemann does not disclose multiple cutting stations for a product.

It is a requirement for a *prima facie* case of obviousness, that the prior art references must teach or suggest all the claim limitations.

The references do not show or suggest a first cutting station having a first cutting knife, and a second cutting station following the first cutting station in a transport direction and receiving the products from the first cutting station, the second cutting station having further cutting knives, as recited in claim 1 of the instant application.

The Ito reference discloses a single cutting position where all three cuts are made. Ito does not disclose that a first cutting station and a second cutting station downstream of the first cutting station. This is contrary to the invention of the instant application as claimed, in which a first cutting station has a first cutting knife, and a second cutting station follows the first cutting station in a transport direction and receives the products from the first cutting station, the second cutting station has further cutting knives.

Applic. No. 09/848,583  
Amdt. dated August 9, 2007  
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The Besemann reference discloses a single cross cutter.  
Therefore, Besemann does not make up for the deficiencies of Ito.

The references applied by the Examiner do not teach or suggest all the claim limitations. Therefore, it is believed that there is not a *prima facie* case of obviousness.

Since claim 1 is believed to be allowable, dependent claims 2-4, 6, 7, 10, 14, and 15 are believed to be allowable as well.

In item 4 on page 4 of the above-mentioned Office action, claims 8-9 have been rejected as being unpatentable over Ito (US 4,922,773) in view of Besemann (U.S. Patent No. 4,523,502) and further in view of Cannon et al. (U.S. Patent No. 4,553,080) (hereinafter "Cannon") under 35 U.S.C. § 103(a). Cannon does not make up for the deficiencies of Ito and Besemann. Since claim 1 is believed to be allowable, dependent claims 8 and 9 are believed to be allowable as well.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claim 1. Claim 1 is, therefore, believed to be patentable over the art and since

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Amdt. dated August 9, 2007  
Reply to Office action of May 9, 2007

all of the dependent claims are ultimately dependent on claim 1, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1-4 and 6-11 and 14 are solicited.

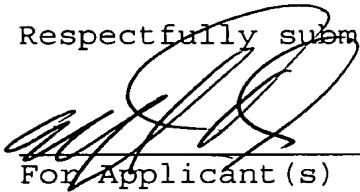
In the event the Examiner should still find any of the claims to be unpatentable, counsel respectfully requests a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made.

Applic. No. 09/848,583  
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Please charge any other fees which might be due with respect  
to Sections 1.16 and 1.17 to the Deposit Account of Lerner  
Greenberg Stemer LLP, No. 12-1099.

Respectfully submitted,

  
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For Applicant(s)

AKD:cgm

August 9, 2007

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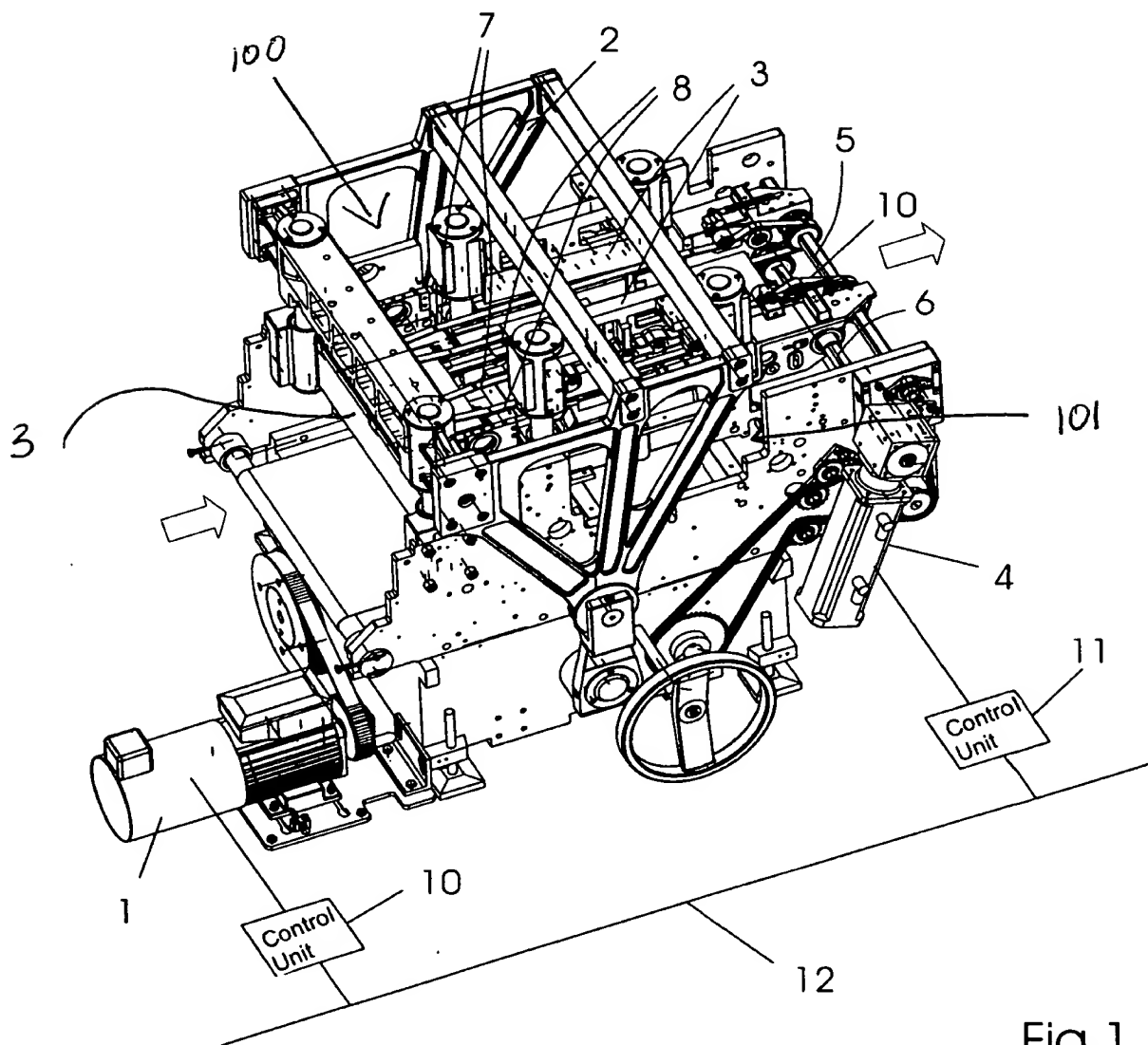


Fig. 1